

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

**ALLIED HOME MORTGAGE CAPITAL
CORPORATION**

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:06CV161-P-A

**BLUES ALLEY ESTATES LIMITED
PARTNERSHIP, SUPERIOR DEVELOPMENT
GROUP, INC., DERRICK NEAL AND RICHARD
BERRY**

DEFENDANTS

ORDER

This cause is before the Court on the defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction [13], Motion to Dismiss on Plea of Nonjoinder [14] and Motion to Dismiss Due to Having Assigned All Rights to Wells Fargo Bank [15]. The Court, having reviewed the motions, the responses thereto, the briefs of the parties, the authorities cited and being otherwise fully advised in the premises, finds as follows, to-wit:

That the motions should be denied for the reasons set forth in the plaintiff's responses thereto. Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that the defendants' Motion to Dismiss for Lack of Subject Matter Jurisdiction [13], Motion to Dismiss on Plea of Nonjoinder [14] and Motion to Dismiss Due to Having Assigned All Rights to Wells Fargo Bank [15] are not well-taken and should be, and hereby are, DENIED.

SO ORDERED, this the 27th day of June, 2007.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE